



**BellSouth Telecommunications, Inc.**  
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**Patrick W. Turner**  
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April 25, 2005

Mr. Charles Terreni  
Chief Clerk of the Commission  
Public Service Commission of South Carolina  
Post Office Drawer 11649  
Columbia, South Carolina 29211

Re: BellSouth Telecommunications, Inc.'s Petition for Review of NXX Code  
Denial in the Greenville Rate Center  
Docket No.

Dear Mr. Terreni:

Enclosed please find for filing an original and ten copies of BellSouth Telecommunications Inc.'s Petition for Review of NXX Code Denial in the Greenville Rate Center in the above-captioned matter. By copy of this letter, I am serving a copy of this document on NANPA, NeuStar, and the ORS, as indicated on the attached Certificate of Service.

Sincerely,

A handwritten signature in black ink that reads "Patrick W. Turner". The signature is written in a cursive, flowing style.

Patrick W. Turner

PWT/sgm  
Attachment  
DM5 580367

BEFORE THE  
PUBLIC SERVICE COMMISSION  
OF SOUTH CAROLINA

In Re: BELLSOUTH TELECOMMUNICATIONS, INC.'S  
PETITION REQUESTING THE COMMISSION'S  
INTERVENTION IN NANPA NXX CODE  
ASSIGNMENTS

)  
) DOCKET NO. 1  
)  
)

PETITION FOR REVIEW OF NXX CODE DENIAL  
IN THE GREENVILLE RATE CENTER

BellSouth Telecommunications, Inc. ("BellSouth"), pursuant to rules adopted by the Federal Communications Commission ("FCC") for challenging determinations of the North American Numbering Plan Administration ("NANPA"), petitions the Public Service Commission of South Carolina ("Commission") for review of NANPA's denial of BellSouth's application for use of central office code numbering resources in the 864 area code. The denial that is the subject of this Petition impacts one BellSouth customer: Greenville Hospital System.

In support of this petition BellSouth states:

1. BellSouth is a telecommunications utility regulated by the Commission. It provides intraLATA, local exchange telecommunications services in various portions of South Carolina, including the Greenville exchange.

2. NANPA is an independent non-governmental entity that is responsible for administering and managing the North American Numbering Plan ("NANP"). See 47 C.F.R. § 52.13 (a), (b).

3. On March 31, 2000, the FCC issued a Report and Order and Further Notice of Proposed Rule Making relating to numbering resource optimization ("FCC 00-104"). The goal

of FCC 00-104 was to implement uniform standards governing requests for telephone numbering resources in order to increase efficiency in the use of existing telephone numbers and to avoid further exhaustion of existing numbers under the NANP.

4. Among other things, FCC 00-104 adopted a revised standard for assessing a carrier's need for numbering resources by requiring rate center based utilization rates to be reported to NANPA. FCC Order at ¶105. The FCC further required that, to qualify for access to new numbering resources, applicants must establish that existing inventory within the applicant's rate center will be exhausted within six months of the application. The FCC reaffirmed this requirement in two subsequent orders. FCC 00-429 at ¶ 29 (rel. Dec. 29, 2000); FCC 01-362 at ¶¶ 48-49 (rel. Dec. 28, 2001). Prior to this ruling, the Central Office Code Assignment Guidelines, used by the industry and NANPA to make code assignments, required the applicant's existing number inventory within the applicant's serving switch to exhaust within six months of the code application or the carrier had to prove that it was unable to meet a specific customer's request with its current inventory of numbers in order for a code to be assigned.

5. This shift to a "rate center" basis from a switch basis for determining the need for new numbering resources was intended to "more accurately reflect how numbering resources are assigned" and to allow "carriers to obtain numbering resources in response to specific customer demands." FCC 00-104, ¶ 105.

6. In addition to the months-to-exhaust ("MTE") requirement described above, the FCC's rules also required carriers to meet a rate center utilization threshold of 60 percent in order to receive additional numbering resources in a given rate center. FCC 00-429 at Paragraph 22; FCC 01-362, ¶¶ 50-52. The utilization threshold has increased by five percent per year, and

it has now reached the maximum of 75 percent. Based on the FCC's orders, carriers must meet both the six months MTE requirement and the utilization threshold on a rate center basis in order to obtain numbering resources. Id.

7. On or about April 6, 2005, BellSouth submitted a Pooling Administration System request to NANPA and NeuStar for the assignment of a new NXX in the Greenville, SC exchange. This NXX is needed to meet the numbering demands of Greenville Hospital System. This customer is building a new hospital in the Greenville area, and this will be the third NXX it has utilized. The new NXX will serve a new hospital located on the east side of Greenville and existing hospitals located in Greer and Simpsonville. Exhibit A is a copy of the customer's letter dated October 5, 2004, requesting a new NXX to be served by BellSouth's Woodruff Road Central Office. As the customer has a five digit dialing plan, the customer does not want the new NXX to end in 3, 4, 8, 9, 0 or 5.

8. BellSouth's application was completed in accordance with Industry Numbering Committee's (INC's) and/or NANPA's guidelines, and BellSouth filled out the necessary Month-to-Exhaust Certification Worksheets as required.

9. At the time of the filing of the Code request, the Greenville Rate Center had an MTE of 19.77 months and a utilization of 78.67% (Exhibit B).

10. Thereafter, also on April 6, 2005, NPA's Central Office Code Administration denied BellSouth's code request because BellSouth had not met the rate center based MTE criterion now set forth in the Central Office Code (NXX) Guidelines. NANPA denied BellSouth's code requests despite the fact that BellSouth does not have adequate numbering

resources needed to satisfy its customers' demands in the Greenville Rate Center. NANPA's response is also included as part of Exhibit B.

11. BellSouth's inability to provide this important customer with the requested numbers prevents BellSouth from providing the quality of service this customer desires, needs, and expects. If BellSouth is not assigned the NXX code needed to meet the customer's request, BellSouth will be unable to provide telecommunications services requested by its customer.<sup>1</sup> NANPA's refusal to grant numbering resources sufficient to meet Greenville Hospital System's needs is inconsistent with the FCC's position that "(u)nder no circumstances should consumers be precluded from receiving telecommunications services of their choice from providers of their choice for want of numbering resources," FCC 00-429 at ¶ 61.

12. Both the FCC's rules and the Central Office Code (NXX) Assignment Guidelines provide that state regulatory authorities have the power and authority to review NANPA's decision to deny a request for numbering resources. See FCC 01-362, Appendix A, Final Rules, § 52.15(g) (4) ("The carrier may challenge the NANPA's decision to the appropriate state regulatory commission"); FCC 01-362 at ¶¶ 61-66; Central Office Code (NXX) Assignment Guidelines § 13.0 ("Appeals may include but are not limited to one or more of the following options: . . . C. The CO Code Administrator(s) and code holders/applicants may pursue the disagreement with the appropriate governmental/regulatory body").

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<sup>1</sup> BellSouth employs a number administration technique called "sequential numbering" in order to preserve the largest blocks of consecutive numbers for as long as possible. The lack of consecutive numbers in the switch referred to above is the consequence of a high level of utilization, not any failure on BellSouth's part to conserve blocks of consecutive numbers.

13. Prior to the FCC's Order and the resulting change in the Central Office Code (NXX) Assignment Guidelines, the MTE procedures used by NANPA permitted a carrier to receive a code assignment, even if the MTE requirement at the switch level was not met. These waivers or exceptions were granted where customer hardships could be demonstrated or where the service provider's inventory did not have a block of sequential numbers large enough to meet the customer's specific request. Under today's procedures, NANPA looks at the MTE for the entire rate center without any exceptions. The FCC has determined, however, that States may grant relief "if a carrier demonstrates that it has received a customer request for numbering resources in a given rate center that it cannot meet with its current inventory." FCC 01-362, ¶ 64. In addition, the FCC has ruled that, "States...may grant requests for customers seeking contiguous block of numbers." Id.

14. BellSouth requests that the Commission reverse NANPA's decision to withhold numbering resources from BellSouth on the following grounds:

- a. NANPA's decision to withhold numbering resources from BellSouth interferes with BellSouth's ability to provide telecommunication services to its customers as required under South Carolina law; and
- b. BellSouth's request for numbering resources would not materially impact exhaustion of the remaining 61 available NXXs in the 864 area code.<sup>2</sup>

15. This Commission (see Docket No. 2002 –185-C, Order No. 2002-415) and other state regulatory agencies in Alabama, Florida, Georgia, Louisiana, North Carolina, and

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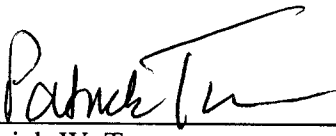
<sup>2</sup> This count is as of February 28, 2005, the most current data published by NANPA.

Tennessee similarly have recognized their jurisdiction and authority to review NANPA denials and to order the release of number resources to BellSouth to meet customer needs.

**WHEREFORE**, BellSouth requests that the Commission:

1. Reverse the decision of NANPA to deny BellSouth's request for additional numbering resources;
2. Direct NANPA to provide an NXX for the Greenville, South Carolina Rate Center; and
3. Grant the requested relief as soon as possible.

Respectfully submitted this 25<sup>th</sup> day of April 2005.

  
\_\_\_\_\_  
Patrick W. Turner  
Suite 5200  
1600 Williams Street  
Columbia, South Carolina 29201  
(803) 401-2900

ATTORNEY FOR BELL SOUTH  
TELECOMMUNICATIONS, INC.

DM5 580373

# **EXHIBIT A**





**GREENVILLE HOSPITAL SYSTEM**  
*Healthcare to a Higher Standard*

October 5, 2004

BellSouth

Re: New NXX Request

Attn: Lesley Strauss

I would like to request a new NXX out of the Woodruff Road Central Office. I do not want to have a 3, 4, 8, 9, 0 or 5 on the end of the NXX. We have a 5 digit dialing plan.

This is for anticipated growth in that area.

Please accept this as my formal request.

Sincerely,

Tim Howell  
Manager of Telecommunications  
Greenville Hospital System

# **EXHIBIT B**

Pooling Administration System - Microsoft Internet Explorer provided by BellSouth

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Address: https://www.nationalpooling.com/pas/frames/index.jsp

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Confirm Blocks in Service (Part 4)  
Search Forms  
Submit Forecast  
Create/Modify Forecast  
User Profile  
Donate Blocks  
Reports

## Pooling Administration System

Sign Out

chris.nelson@bellsouth.com (SP)

Months to Exhaust and Utilization Certification Worksheet - 1H Level

Date Wednesday, April 6, 2005  
OCN 3417  
Company Name BELLSOUTH SO BELL  
Rate Center GREENVILLE

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

```

" (864) 246 (29) 294 (13) 371 1,3-5,7-8 (07) (864) 244 (13) 268 (25) 292 (05) 322 (14)
609 0-6,8-9 (14) (864) 236 0,2-3,6,9 (26) 277 (02) 299 (11) 422 (20) (864) 220 (11) 269
(07) 295 (20) 605 (07) (864) 220 (11) 269 (07) 295 (20) 605 (07) (864) 220 (11) 269 (07)
295 (20) 605 (07) (864) 213 0-6,8-9 (20) 234 (08) 254 0-7,9 (04) 281 (10) 283 (25) 284
(07) 286 (29)
288 (05) 289 (07) 297 (16) 329 0-3,8-9 (05) 454 (25) 458 (14) 621 (17) 675 (05)
676 (13) 987 (08)
  
```

Name of Block Applicant Mr Christopher S Nelson  
Title Block Administration Specialist  
Telephone Number (205) 977-1896  
Fax Number (205) 977-3013  
E-Mail chris.nelson@bellsouth.com

A. Available Numbers \* 62490

B. Assigned Numbers \* 380446

C. Total Numbering Resources \* 483614

D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation \* 0

Question? E-Mail us  
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Address: https://www.nationalpooling.com/pas/frames/index.jsp

Request For Resources  
Modify  
Disconnect  
Block Transfer  
Confirm Blocks in Service (Part 4)  
Search Forms  
Submit Forecast  
Create/Modify Forecast  
User Profile  
Donate Blocks  
Reports

## Pooling Administration System

Sign Out

chris.nelson@bellsouth.com (SP)

Months to Exhaust and Utilization Certification Worksheet - 1H Level

Date Wednesday, April 6, 2005  
OCN 3417  
Company Name BELLSOUTH SO BELL  
Rate Center GREENVILLE

List all Codes NPA(s)-NXXs and Blocks NPA(s)-NXX-X(s)

```

" (864) 246 (29) 294 (13) 371 1,3-5,7-8 (07) (864) 244 (13) 268 (25) 292 (05) 322 (14)
609 0-6,8-9 (14) (864) 236 0,2-3,6,9 (26) 277 (02) 299 (11) 422 (20) (864) 220 (11) 269
(07) 295 (20) 605 (07) (864) 220 (11) 269 (07) 295 (20) 605 (07) (864) 220 (11) 269 (07)
295 (20) 605 (07) (864) 213 0-6,8-9 (20) 234 (08) 254 0-7,9 (04) 281 (10) 283 (25) 284
(07) 286 (29)
288 (05) 289 (07) 297 (16) 329 0-3,8-9 (05) 454 (25) 458 (14) 621 (17) 675 (05)
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Telephone Number (205) 977-1896  
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A. Available Numbers \* 62490

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D. Quantity of numbers activated in the past 90 days and excluded from the Utilization calculation \* 0

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excluded from the Utilization Calculation

List excluded Code(s) or Block(s)

E. Growth History - Previous 6 months<sup>2</sup> \*

Month 1	1717	Month 2	1380
Month 3	1418	Month 4	1383
Month 5	2489	Month 6	576

F. Forecast - Next 12 months<sup>3</sup> \*

Month 1	1494	Month 2	11494
Month 3	1494	Month 4	1494
Month 5	1494	Month 6	1494
Month 7	1494	Month 8	1494
Month 9	1494	Month 10	1494
Month 11	1494	Month 12	1494

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6)

3160.667

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Address: https://www.nationalpooling.com/pas/frames-index.jsp

- Request For Resources
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Blocks in Service (Part 4)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Month 9	1494	Month 10	1494
Month 11	1494	Month 12	1494

G. Average Monthly Forecast (Sum of months # 1-6 (Part F above) divided by 6) 3160.667

H. Months to Exhaust <sup>4</sup> (Numbers Available for Assignment to customers (A) / Average Monthly Forecast (G))

Block Requested	A. Available Numbers	H. Months to Exhaust
1	62490	19.771

I. Utilization<sup>5</sup> (Assigned Numbers (B)) / (Total Numbering Resources (C) - Excluded Numbers (D)) \* 100 78.667

Explanation

- A copy of this worksheet is required to be submitted to the Pooling Administrator when requesting additional numbering resources in a rate center. For auditing purposes, the applicant must retain a copy of this document.
- Net change in TNs no longer available for assignment in each previous month, starting with the most distant month as Month #1, and Month #6 as the current month.
- Forecast of TNs needed in each following month, starting with the most recent month as Month #1
- To be assigned an additional thousands-block (NXX-X) for growth, "Months to Exhaust" must be less than or equal to 6 months. (FCC 00-104, § 52.15 (g)(3)(iii))
- Newly acquired numbers may be excluded from the Utilization calculation (FCC 00104, section 52.15 (g)(3)(ii))

Show Calculations Continue Cancel

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Address: https://www.nationalpooling.com/pas/frames-index.jsp

- Request For Resources
  - Modify
  - Disconnect
  - Block Transfer
- Confirm Blocks in Service (Part 4)
- Search Forms
- Submit Forecast
  - Create/Modify Forecast
- User Profile
- Donate Blocks
- Reports

Pooling Administration System

chris.nelson@bellsouth.com (SP) Sign Out

Months to Exhaust and Utilization Certification Worksheet - TN Level (Continued)

Based on the information provided, you will not exhaust all blocks in the requested NXX in 6 months.

Select One Option and Submit

☒ Return to the Months To Exhaust Form  
☐ Discard all the information provided for the request and start with a fresh Part 1A.  
☐ State Waiver Option

Submit Cancel

Question? Feedback  
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STATE OF SOUTH CAROLINA

COUNTY OF RICHLAND

CERTIFICATE OF SERVICE

The undersigned, Nyla M. Laney, hereby certifies that she is employed by the Legal Department for BellSouth Telecommunications, Inc. ("BellSouth") and that she has caused BellSouth's Petition for Review of NXX Code Denial in the Greenville Rate Center to be served by the method indicated below upon the following this April 25, 2005:

Thomas C. Foley  
NPA Relief Planner – Eastern Region NANPA  
NeuStar – NANPA  
820 Riverbend Blvd.  
Longwood, FL 32779-2327  
**(U. S. Mail)**

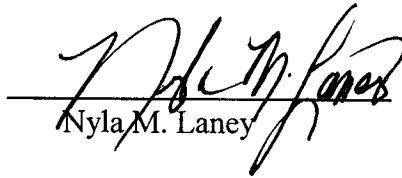
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Nyla M. Laney

580398